

REMARKS

Preliminary Matters

Upon entry of the amendment, which is respectfully requested, claims 1-3 and 5-8 will be all the claims pending in the application. Claims 6-8 are withdrawn from consideration as being directed to a non-elected invention.

Claim 1 has been amended to incorporate the subject matter of claim 4. Claim 4 has been canceled. Also, claim 1 has been amended to correct a typographical error.

Claim 2 has been amended to replace "sulfate" with "sulfonate" group. Support for the amendment can be found at page 7, line 8 of the present specification.

The specification at page 3 has been amended to correct a typographical error. The specification at page 9 has been amended to correct an inadvertent error. Support is found, for example, at page 10, lines 1-3 of the specification (fluorine-containing monomer (A)).

No new matter has been added.

Response to Claim Objection

In response to the claim objection, claim 2 has been amended to correctly recite sulfonate group as noted by the Examiner. Withdrawal of the objection is respectfully requested.

Response to Claim Rejections

Claims 1-5 were rejected under 35 U.S.C. §103(a) as being obvious over Takanobu et al. (JP 2002-105433), Wataru et al. (JP 05-017358) or Naoki et al. (JP 11-124419), each individually in view of Ohmori et al. (EP 247,489 A2) and/or Tsunenori et al. (JP 2003-154307).

Applicants respectfully submit that the §103 rejection of claims 1-5 is overcome at least for the following reasons.

Upon entry of the amendment, present claim 1 recites a fluorine containing polymer comprising repeating units derived from (i) an α -substituted fluorine-containing acrylate, and (ii) a Rf group which may be a fluoroalkyl group or a fluoroalkenyl group having 1 to 6 carbon atoms.

Turning to the working Examples of the present specification, the polymer of Example 1 at page 11 has repeating units derived from a monomer having both groups (i) and (ii). In contrast, the polymer of Comparative Example 1 at page 12 has repeating units derived from a monomer having only group (ii) but not group (i). Tables 1 and 2, at pages 13 and 14, respectively, clearly demonstrate that the soil resistance of the polymer of Example 1 is superior to the soil resistance of the polymer of Comparative Example 1. Therefore, Example 1, *i.e.*, the polymer having repeating units derived from a monomer having both groups (i) and (ii), has significantly advantageous effects over Comparative Example 1, *i.e.*, the polymer having repeating units derived from a monomer having only group (ii).

The test data for Example 1 and Comparative Example 1 from Tables 1 and 2 of the specification is reproduced below.

Table 1 Soil resistance test (granite)

	Olive Oil	Waste Oil	Red wine	Coffee
Example 1	5	5	4	5
Comparative Example 1	2	2	2	2

Table 2 Soil resistance test (limestone)

	Olive Oil	Waste Oil	Red wine	Coffee
Example 1	5	4	4	5
Comparative Example 1	2	2	2	2

The above-noted results are unexpectedly superior over the prior art relied upon by the Examiner.

None of Takanobu, Wataru, Naoki, Ohmori or Tsunenori discloses or otherwise suggests the desirability of a polymer including repeating units derived from a monomer having both groups (i) and (ii). Thus, a person of ordinary skill could not easily conceive that the combination of features (i) and (ii) could achieve the advantageous effects of excellent soil resistance. More particularly, there is no apparent reason which would lead one skilled in the art to combine Takanobu, Wataru or Naoki with Ohmori and/or Tsunenori with a reasonable expectation of success.

In view of the above, Applicants respectfully submit that claim 1 is patentably distinguishable over Takanobu, Wataru or Naoki individually in combination with Ohmori and/or Tsunenori. Claims 2-5 are also patentable, at least by virtue of their dependence from claim 1.

Reconsideration and withdrawal of the §103(a) rejection is therefore respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



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